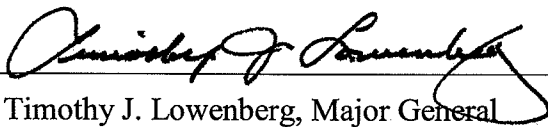




Department Policy No. HR-225-02

Subject:	Tele-work
Former Number:	18-00
Authorizing Source:	RCW 70.94 Commute Trip Reduction WAC 356 Department of Personnel Governor's Executive Order, EO-01-03 and 92-04 DoD Memorandum, USD (P&R), Subject: Department of Defense (DoD) Tele-work Policy and Guide dated October 22, 2001
Information Contact:	Human Resource Director Building 33 (253) 512-7941
Effective Date:	April 30, 2002
Revised	October 30, 2010
Mandatory Review Date:	October 30, 2012
Approved By:	 Timothy J. Lowenberg, Major General The Adjutant General Washington WMD Director

Purpose

Establish policy and provide guidance for the administration of tele-work for Washington Military Department (WMD) employees consistent with requirements of statute and the general principles of public service. As an agency that provides 24/7 service requirements to the State of Washington, most positions within the WMD have limited ability to meet tele-work requirements.

This policy will establish specific eligibility requirements for employees whom engage in tele-work agreements. It is the intent of this policy to comply with the Commute Trip Reduction (CTR) program and to provide procedural guidance when there is a need for alternative work location options that do not impair the service to the public or hamper the employee's ability to meet job requirements.

Applicability

This policy applies to all state employees of the WMD who work at home, from an

alternate work site or from a tele-work center. This policy does not apply to guard members on state active duty or to federal personnel to include Active Guard Reserve (AGR) members, traditional Washington National Guard members in a federal military status or military technicians.

In the event of an emergency requiring the implementation of the Agency Continuity of Operations Plan in all or part or the activation of the State EOC, the Agency Director and/or his designee may temporarily suspend any or all parts of this procedure in order to sustain operations at their maximum potential.

Definitions

Tele-work: The use of telecommunications or computer technologies which allow an employee to regularly perform a portion of assigned duties at an alternate workplace such as a private residence, neighborhood work center, or a satellite office.

Primary Work Station: The WMD address of the employee's office or the physical location where the employee is assigned to work (when not tele-work).

Tele-work Station or Alternate Worksite: An extension of the primary workstation that has been approved for performing tele-work duties.

Tele-work Agreement: An agreement between an employee, the employee's supervisor and the division manager that details the employee's and supervisor's mutual understanding and commitment relative to tele-work.

Policy

Where the supervisor determines that it will not be detrimental to the WMD mission, the employee and the supervisor, with the approval of the Division Director, may agree to a formal tele-work schedule.

Participation in the tele-work program is an exception to normal agency operational policy/procedure and is not an employee right. This policy is intended to encourage retention of valuable employees within the office and shall not impede services to the public nor impede the office from accomplishing its mission.

This policy is not intended to be used as an alternative to the use of leave for the purposes of illness, recovery from surgery or illness, or child/elder care issues.

Inclement weather does not automatically authorize or constitute tele-work as defined in policy HR- 220-10.

Note: all employees connected to the Army/Air computer servers are required to also follow current DoD and/or National Guard policy regarding tele-work.

Procedure

All tele-work arrangements regardless of duration must be documented with a tele-work agreement. All state owned equipment/software to be used at the tele-work site shall be documented on the tele-work agreement. The tele-work agreement must be signed by the employee and approved by the supervisor and the Division Director or his/her designee.

Any modification to the tele-work agreement requires written approval by the employee's supervisor, Division Director, or his/her designee. The tele-work agreement, and any modifications, must be kept on file at the primary worksite and in the employee's official personnel file. A copy of the employee's tele-work schedule of working hours will be provided to the Payroll office prior to the effective date of the agreement.

Responsibility

Action

Employee

Submits completed Tele-work Agreement/Request/Inventory Plan (MIL Form 850) to supervisor.

Immediate Supervisor

Reviews and discusses the proposed agreement with the employee and may make an on-site inspection of alternate worksite as appropriate.

Evaluates the feasibility of allowing the employee to participate in a tele-work status, taking into consideration the impact the proposed tele-work will have on the workload of the unit.

Reviews proposed agreement with Information Technology (IT) for equipment software and security related issues; with Human Resources for job requirements and personnel related issues that may arise as a result of tele-work.

Determines need for other internal division review and obtains approval if required. Recommends agreement approval or denial to Division Director.

Division Director

Reviews the negotiated tele-work agreement based on the employee's request and the recommendation of the supervisor, taking into consideration the impact of the proposed schedule or tele-work on the workload of the division.

Approves or denies the tele-work agreement.

Submits original documentation to Human Resources office for disposition, who will provide copies to supervisor, employee, IT, and Payroll.

Payroll Office

Turns in or provides required schedule changes to Human Resources Management for payroll purposes.

**Immediate Supervisor and
Division Director**

Monitors and reviews tele-work agreement as necessary.

1. Eligibility Criteria

- a. The employee's job tasks can be successfully performed at an alternative work

site without compromising data security, customer service, or agency mission responsibilities.

- b. The availability of state-owned computer equipment and software approved for tele-work use by the supervisor is available or obtainable within current fiscal limitations.
- c. Approval of a tele-work agreement is at the discretion of the employee's supervisor and Division Director. Factors to be considered in the approval process include but are not limited to:
 - The employee's demonstrated competency in his/her job and history of being reliable and self-directed.
 - The absence of the employee from the primary workstation will not be detrimental to the work group's productivity or the needs of the clients/customers.
 - The employee, supervisor, and Division Director are willing to sign and abide by a mutually defined tele-work agreement.
 - Both the supervisor and the employee are willing to participate fully in tele-work training/evaluation efforts.
 - Competing work schedule or leave requests and potential costs or savings to the state should be considered.

2. Work Schedule

- a. A tele-work employee, like a non-tele-work employee, shall remain flexible to accommodate highly concentrated periods of work. The tele-work employee is expected to return to work at the primary worksite when requested. If an employee approved for tele-work is requested to return to the primary worksite, commuting time from the tele-work site to the primary worksite is not considered time worked.
- b. Work hours on tele-work days must conform to the employee's approved regular work schedule. The same provisions apply to a tele-work employee as a non-tele-work employee regarding work hours, overtime compensation, use of vacation and sick leave, and compliance with normal office reporting procedures.
- c. Probationary and trial service employees should not be authorized a different work schedule until satisfactory completion of the probationary or trial service period.

3. Reporting

Supervisors are required to do a monthly recap of tele-work accomplished by the employee. The recap shall be submitted to Human Resources to document Commute Trip Reduction Program participation as well as be available for review upon request by the Agency Director or his designee.

4. Work Periods, Wages and Responsibilities

An employee's required working hours, salary, responsibilities, and state provided benefits will not change as a result of tele-work and/or using alternate work sites.

- a. The number of hours worked will not change; hours worked will be scheduled for standard workweek employees and any changes must be approved in advance.
- b. Employee will maintain wages and benefits, to include vacations, sick leave, holiday and overtime. Employee will continue to submit signed time sheets, travel vouchers, etc. through appropriate channels.
- c. Employees responsibilities and job functions will not change.
- d. Employee will continue to be responsible for management of vacation, sick leave, holiday and overtime by submission of punctual time sheets, travel vouchers, and other required paperwork etc., through appropriate channels.
- e. When tele-working, the alternative work site is the official station for travel expense voucher purposes except that the travel to and from the employee's normal worksite is not a reimbursable expense.
- f. All Washington Administrative Codes (WAC) regarding leave, hours of work and scheduling work; Fair Labor Standards Act (FLSA) and WAC rules on overtime; Office of Financial Management (OFM) rules and WMD policies and procedures on travel, vehicle use, leave, etc., apply to all employees who tele-work and use alternate work sites.
- g. For employees in the "overtime eligible" and "overtime exempt" work period designations, supervisors and employees must ensure compliance with FLSA and WAC rules on overtime, or signed collective bargaining agreements with WMD.

5. Tele-work Agreement

The tele-work agreement (MIL Form 850) will specify the terms and conditions of the arrangement including but not limited to:

- The hours and days of work involved in tele-work and or use of an alternate work site.
- The manner in which the employee will be accessible to the supervisor.
- The manner in which workflow and communication will be maintained among customers, coworkers and management.
- The manner in which the tele-worker will ensure customers, co-workers and supervisors have access to leave a message and that a method exists to ensure response in a timely manner.
- Alternate site or home phones will be answered in a businesslike manner during business hours.
- Identification of equipment to include software and hardware that may be involved.

- Specific work to be accomplished and its manner for submission and review.
- The length or duration of the agreement.
- An agreement to abide by all terms of this policy.

Review of the tele-work agreement may occur as determined by the supervisor, manager, and/or the Division Director to assess whether the agreement is working. At a minimum, each tele-work agreement will be reviewed annually, on the employee's anniversary date. The discussion should include a review of new or continued work products, and any impacts the continuation or termination of the agreement will have on both the employee and the WMD.

The employee's Division Director, manager, or supervisor may terminate a tele-work agreement with one day's notice.

6. Workspace and Safety Standards

- a. The employee's workspace while tele-working is considered an extension of the primary worksite.
- b. Workers' compensation liability will be limited to the scheduled work hours and designated workspace as opposed to applying to all areas of the alternate worksite. The WMD retains the right to make on-site inspections at the alternate worksite. The tele-work employee must follow WMD procedures for reporting work-related injuries.
- c. Prior to performing tele-work duties, the employee is responsible to ensure, to the best of their ability, that the immediate work area is free of recognized hazards. In addition, the employee is required to report any and all injuries or hazards that are directly related to the immediate work area and incurred when performing WMD business at their respective tele-work station.
- d. When the alternate worksite is in the employee's home, the employee shall be responsible for maintaining a designated workspace in a safe, healthy, professional, and secure manner.
- e. The state assumes no liability for loss, damage, or wear of any employee-owned equipment or facilities used while tele-working.
- f. Employees are responsible for personal office equipment such as desks, file cabinets, and chairs as well as any additional expenses caused by the tele-work arrangement. The additional expenses may include, but are not limited to, auto/homeowners insurance, internet service provider, incidental residential utility costs, and individual tax implications.
- g. The tele-work station or space will be identified in the Tele-work Agreement.

7. Communication with Agency Staff and the Public

- a. Employees shall adhere to current Agency policy for use of internet responding to e-mail, voicemail and other messages. Employees will be available by a pre-designated phone number during their scheduled working hours to their

supervisors, managers, division directors, other agency staff, and customers. Employees and their supervisors may develop additional standards for more effective communication, if necessary.

- b. The employee will use the State Controlled Area Network (SCAN) system or other agency provided telecommunications service to place any long distance phone calls required to carry out Agency business. Long distance business calls made on personal telephone lines and not with a issued SCAN card will not be reimbursed unless approved in advance by the employee's supervisor. Any connectivity to the agency intranet system will be discussed between the employee, the supervisor and respective IT staff, including the agreement on any associated costs of availability.

8. Performance Standards

- a. Performance evaluation requirements, elements, and standards for tele-work employees are the same as non-tele-work employees.
- b. Professionalism in terms of job responsibilities, work output and customer orientation will continue to follow the high standards required from all Agency personnel.
- c. Tele-work shall not be used as a substitute for family care. The employee shall not have responsibility for childcare, dependent adult care or other duties not ordinarily a part of the Agency job responsibilities at the designated tele-work site during work hours. Instances of tele-work employees providing these types of dependent care at their tele-work location will lead to immediate termination of the tele-work agreement and a return to the primary work station.

9. WMD Equipment and Supplies

- a. The employee shall be responsible for maintaining a designated workspace in a safe, healthy, professional and secure manner.
- b. The tele-work employee assumes responsibility for loss, damage, or abnormal wear of state-provided equipment and for lost supplies furnished by the state while tele-working.
- c. With the exception of charges incurred related to long distance service by Scan or other provided telecommunications site, the Agency will not be responsible for telephone, data lines, utility expenses, installation, monthly charges or costs incurred by the tele-work employee in connection with the approved tele-work agreement.
- d. Equipment and supplies furnished to the tele-work employee by the State remain the property of the WMD and shall be used only by authorized persons for official state business as specified in RCW 42.52.160.
 - The appropriate Division must approve the use of WMD equipment. It is appropriate to work with IT staff for support.
 - Employees will not be reimbursed for costs associated with the use of

equipment not located at a WMD facility or assigned tele-work center (copiers, fax machines, printers) unless authorized due to emergency circumstances.

- e. All employees who tele-work will use only state-provided computer equipment and software.
- Any hardware or software purchased or licensed by WMD remains the property of the WMD and is to be used only for business purposes.
 - Each tele-worker shall adhere to the manufacturer's licensing agreements, including, but not limited to, prohibition of unauthorized duplication.
 - All hardware or software that is checked out to a WMD employee for tele-work must be returned before the employee leaves the WMD for any reason or upon termination of the tele-work agreement.
 - Use of state-owned software by the employee shall at all times be in compliance with applicable software licenses.
 - No unauthorized software will be installed on the equipment furnished by the WMD.
 - Employees will not use their own equipment to access the WMD's network. See WMD's Remote Access policy.
 - When the WMD provides a computer for the employee's off-site use, they will also provide a surge protector which must be used with WMD equipment.
 - Only authorized WMD Information Technology (IT) personnel will perform repairs or necessary maintenance on the equipment provided to the tele-work employee. In addition, all repairs or maintenance will be performed in the responsible Division's or IT section spaces and not in an employee's home or alternate work area.
 - Employees must follow established practices in maintaining security of WMD equipment and data; this includes proper backup of computer data and the prevention of unauthorized use by non-WMD employees.
- f. The employee is responsible for the proper use of all state-provided equipment and supplies in accordance with the state and WMD policies. Office supplies for use by the tele-work employee at the alternate worksite will be provided by the WMD and should be obtained through the primary worksite.
- The employer is responsible to pay for any needed repair or maintenance of any WMD issued equipment that is no longer under warranty. It is the responsibility of the employee to return that equipment to WMD.
 - An employee is responsible for maintaining and repairing their personally-owned equipment such as telephones, work spaces (desks), etc.